Certificate of Mailing 37 C.F.R. §1.8(a)

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Name of Person Signing Certificate:

Vickie Jones

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hans GRUNDEI §

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Conf. No.: 3586 § Group Art Unit: 3738

Group Art Unit: 3/38

Appln. No.: 10/663,529 § Examiner: Not Yet Assigned

§

Filing Date: September 15, 2003 § Atty. Docket No.: 8056-135US (E 22 55 US)

§

Title: SYSTEM FOR RECONSTRUCTING THE NATURAL TORQUE BETWEEN THE

NATURAL KNEE AND THE NATURAL HIP AREA

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Enclosed are copies of each of the documents listed on the attached Information Disclosure Citation Form(s) PTO/SB/08A and/or B, which may be material to the patentability of this application and/or for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The enclosed references were cited in a German Office Action dated November 27, 2001, (copy enclosed) from the German Patent Office concerning counterpart German Application No. 101 13 069.4-35. An English translation of pertinent portions is attached hereto. The two French references cited in the German Office Action were already provided in the Information Disclosure Statement filed on September 15, 2003, and are not being submitted again.

The filing of this Information Disclosure Statement shall not be constitued as an admission that any of the listed documents constitutes prior art, nor as an admission against interest in any manner.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed before the mailing date of the first Office Action on the merits. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-1017.

It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08A and/or B be considered and acknowledged by the Examiner in connection with the above-identified patent application, be made of record therein, and that the listed document(s) be cited in the issued patent.

Respectfully submitted,

Hans GRUNDEI

William W. Schwarze

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WWS:vj Enclosures

English Translation of Pertinent Portions of Office Action Dated November 27, 2001, in Counterpart German Application No. 101 13 069.4-35

In this action, the following references are cited for the first time. The numbering will apply for this and all further proceedings:

- 1) DE 44 23 717 C1
- 2) EP 0555 003 A1
- 3) EP 0 189 253 A2
- 4) WO 95/17 129 A1
- 5) FR 2 726 178 A1
- 6) FR 2 679 766 A1
- 7) US 5 735 904 A

Prior art references which would stand in the way of a patent cannot be discovered up until now. In addition to the references cited by the applicant in the description introduction, namely already cited German Patent Publications DE 197 16 300 C1 and DE 197 53 236 C1, publications (1) through (7) above were discovered. However, these publications according to the opinion of the Examiner, do not disclose any further development of the prior art, so that an acknowledgement of the state of the art known therefrom does not appear to be necessary in the description introduction. Nevertheless, if the applicant believes it to be necessary to acknowledge one of these publications in the description introduction as the known state of the art, a corresponding revision of the application documents is requested. Otherwise, the grant of a patent can proceed with the present documents.

Examining Group for Class A 61 F

Doctor of Jurisprudence/Engineer Bechtold

Telephone: 3152

Enclosures: 7 references in duplicate

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Form PT0	orm PTO/SB/08A		Complete if Known		
			Bung	Application Number	10/663,529
INFORMATION DISCLOSUREDES STATEMENT BY APPLICANT			SURE	Filing Date	September 15, 2003
			CANT	First Named Inventor	Hans GRUNDEI
(Group Art Unit	3738
(use as many sheets as necessary)			essary	Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	8056-135US (E 22 55 US)

U.S. PATENT DOCUMENTS				
Exr Initials	U.S. Patent Docume Number		Name of First Inventor of Cited Document	Date of Publication of Cited Document MM-YYYY
	5,735,904		Pappas	04-1998

		Foreign Patent Docum	ent	Name of Applicant of Cited Document	Date of Publication of Cited Document MM-YYYY	T ₁
Exr Initials	Country Code	Number	Kind Code (if known)			
	DE	44 23 717	C1	Eska Medical GmbH & Co.	01-1996	
	EP	0 555 003	A1	Howmedica International Inc.	08-1993	X
	EP	0 189 253	A2	Pfizer Hospital Products Group, Inc.	07-1986	X
	WO	95/17129	A1	Gilles Voydeville	06-1995	X*
				* = Abstract Only		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Fxr	I Include Namo of first Author (in CAPITAL LEFTFHS), title of the article (whore appropriate), title of the item (book.	T ₁		
Initials	magazine journal serial symposium, catalog, etc.), volumo issuo numbor(s), page(s), date (in parentheses). If a block	;		
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